



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR - 6 2012

REPLY TO THE ATTENTION OF:

WN-16J

Mrs. Vickie Askins  
6335 Solether Road  
Cygnet, Ohio 43413

Re: Freedom of Information Act Request No. 05-FOI-00527-12

Dear Mrs. Askins:

This letter responds to your Freedom of Information Act (FOIA) request dated February 8, 2012. You requested from the U.S. Environmental Protection Agency all correspondence from the EPA to the Ohio Department of Agriculture (ODA) since November 2008 regarding the transfer of the NPDES permitting program. This response covers documents within the control of the Water Division and the Office of Regional Counsel.

On March 1, 2012 in a telephone conversation between you and a member of my staff, the scope of your request was narrowed to exclude attachments to the correspondence responsive to your original request. A March 1, 2012 electronic mail exchange confirmed the narrowed scope of your request. Enclosed are copies of the record(s) that are responsive to your request as described in your March 1, 2012 electronic mail. Enclosure A is an itemized list of the documents we are releasing.

Under FOIA, a cost may be charged for reproducing documents and/or search time. The cost of responding to your request was less than \$14; therefore, there is no fee for this response.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, email: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number

05-FOI-00527-12. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Julianne Socha at (312) 886-4436 if you have any questions about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Pierard", with a stylized flourish at the end.

Kevin M. Pierard, Chief  
NPDES Programs Branch

Enclosures

Date	Description	Subject	From	To	Number of Pages
02/17/12 8:16 am <sup>1</sup>	electronic mail message 12/11/08	Requests for extension of Ohio CAFO Program Comment Period	Matt Gluckman, EPA	Kevin Elder, ODA and Cathy Alexander, OEPA	1
02/17/12 8:53 am <sup>1</sup>	electronic mail message 1/12/09	Final Filed Rules	Marsha Perge, ODA	Matt Gluckman, EPA	1
04/06/09	Letter		Robert J. Boggs, ODA and Chris Korleski, OEPA	Bharat Mathur, EPA	1
4/29/09	Letter		Bharat Mathur, EPA	Robert Boggs, ODA and Chris Korleski, OEPA	2
02/17/12 8:26 am	series of two (2) electronic mail messages 8/28/09	Call to Discuss Ohio CAFO Program Rule/Statute Needs	Cathy Alexander, OEPA	Matt Gluckman & Peter Swenson, EPA; Kevin Elder, Adam Ward & Bill Hopper, ODA; and Charlotte Hickcox, OEPA	2
			Kevin Elder, ODA	Matt Gluckman & Peter Swenson, EPA; Cathy Alexander & Charlotte Hickcox, OEPA; Adam Ward & Bill Hopper, ODA	
02/17/12 8:46 am <sup>1</sup>	electronic mail message 09/09/09	CAFO rule crosswalk	Matt Gluckman, EPA	Kristina Erlewine, ODA	1
02/17/12 8:24 am <sup>1</sup>	Series of four (4) electronic mail messages 10/20/09 thru 10/23/09	Response to Comments	Matt Gluckman, EPA	Kevin Elder, ODA	2
			Kevin Elder, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kevin Elder, ODA	
			Kevin Elder, ODA	Matt Gluckman, EPA	
02/17/12 8:22 am <sup>1</sup>	Series of three (3) electronic mail messages 11/03/09	Questions raised during comment period	Matt Gluckman, EPA	Kevin Elder, ODA	3
			Kevin Elder, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kevin Elder, ODA	
02/17/12 8:46 am <sup>1</sup>	Series of four (4) electronic mail messages 11/03/09 thru 11/06/09	Questions raised during comment period	Matt Gluckman, EPA	Kevin Elder, ODA	4
			Kevin Elder, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	

Date	Description	Subject	From	To	Number of Pages
02/17/12 8:45 am <sup>1</sup>	Electronic mail message 11/16/09	ERAC decision	Kristina Erlewine, ODA	Matt Gluckman, EPA	1
02/17/12 8:21 am <sup>1</sup>	Electronic mail message 02/17/09	Response to NPDES Questions and NPDES Legislation status	Kevin Elder, ODA	Matt Gluckman, EPA	2
02/17/12 8:21 am <sup>1</sup>	Series of two (2) electronic mail messages 12/14/09	NPDES Legislation status	Matt Gluckman, EPA	Kevin Elder, ODA	2
			Kevin Elder, ODA	Matt Gluckman, ODA	
02/17/12 8:45 am <sup>1</sup>	Series of two (2) electronic mail messages 12/22/09	Governor Signs House Bill 363	Bill Schwaderer	Kristina Erlewine, ODA; Chris Rodabaugh; Andy Ety; Kelly Harvey; Jim Young; Mark Fritz; Marsha Perge; Patrick Baily; Christine Pence; and Gary Zwolinski	2
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
02/17/12 8:20 am <sup>1</sup>	Series of two (2) electronic mail messages 03/12/10 and 03/23/10	Draft Ohio EPA Surface Water Rules – Implementation of WQS (OAC 3745-2) and NPDES Permits (OAC 3745-33)	Cathy Alexander, OEPA	Matt Gluckman, EPA	3
			Kevin Elder, ODA	Matt Gluckman, EPA	
02/17/12 8:18 am <sup>1</sup>	Series of three (3) electronic mail messages 08/27/10 and 08/30/10	Call	Matt Gluckman, EPA	Kevin Elder, ODA	2
			Kevin Elder, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kevin Elder, ODA	
8/31/10	Memorandum	2010 Ohio Department of Agriculture Rule Amendments	Kevin Elder, ODA	Matt Gluckman, EPA	4
02/17/12 8:45 am <sup>1</sup>	Electronic mail message 08/31/10	Ohio Department of Agriculture Proposed Rule Changes (first email)	Kristine Erlewine, ODA	Matt Gluckman, EPA	2
2/17/12 8:44 am <sup>1</sup>	Electronic mail message 8/31/10	Ohio Department of Agriculture Proposed Rule Changes (second email)	Kristina Erlewine, ODA	Matt Gluckman, EPA	1

Date	Description	Subject	From	To	Number of Pages
2/17/12 8:44 am <sup>1</sup>	Electronic mail message 8/31/10	Ohio Department of Agriculture Proposed Rule Changes (third email)	Kristina Erlewine, ODA	Matt Gluckman, EPA	1
2/17/12 8:44 am <sup>1</sup>	Electronic mail message 8/31/10	Ohio Department of Agriculture Proposed Rule Changes (fourth and last email)	Kristina Erlewine, ODA	Matt Gluckman, EPA	2
2/17/12 8:44 am <sup>1</sup>	Series of two (2) electronic mail messages 8/31/10	Ohio Department of Agriculture Proposed Rule Changes (first email)	Kristina Erlewine, ODA	Matt Gluckman, EPA	2
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
2/17/12 8:43 am <sup>1</sup>	Series of two (2) electronic mail messages 8/31/10	Ohio Department of Agriculture Proposed Rule Changes (first email)	Kristina Erlewine, ODA	Matt Gluckman, EPA	2
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
2/17/12 8:43 am <sup>1</sup>	Electronic mail message 9/15/10	Ohio Department of Agricultural Regulatory Crosswalk and Rule Information	Kristina Erlewine, ODA	Matt Gluckman, EPA	1
2/17/12 8:43 am <sup>1</sup>	Series of two (2) electronic mail messages 9/15/10	Ohio Department of Agricultural Regulatory Crosswalk and Rule Information	Kristina Erlewine, ODA	Matt Gluckman, EPA	2
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
2/17/12 8:42 am <sup>1</sup>	Electronic mail message 9/24/10	Ohio Department of Agriculture NPDES—CFR related amendments	Kristina Erlewine, ODA	Matt Gluckman, EPA	1
2/17/12 8:41 am <sup>1</sup>	Series of five (5) electronic mail messages 09/27/10 and 09/29/10	Enforcement Management document	Kristina Erlewine, ODA	Matt Gluckman, EPA	3
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
2/17/12 8:40 am <sup>1</sup>	Series of eight (8) electronic mail messages 9/27/10, 9/29/10, and	Enforcement Management document	Kristina Erlewine, ODA	Matt Gluckman, EPA	3
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	

Date	Description	Subject	From	To	Number of Pages
	10/5-6/10		Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
2/17/12 8:40 am <sup>1</sup>	Electronic mail message 10/26/10	Ohio Department of Agriculture Proposed Rule Changes-EPA comments	Matt Gluckman, EPA	Kristina Erlewine, ODA	1
2/17/12 8:39 am <sup>1</sup>	Series of three (3) electronic mail messages 10/26/10, 10/28/10 and 10/29/10	Ohio Department of Agriculture Proposed Rule Changes-EPA comments	Matt Gluckman, EPA	Kristina Erlewine, ODA	2
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, EPA	
2/17/12 8:38 am <sup>1</sup>	Series of two (2) electronic mail messages 11/1/10	Ohio Department of Agriculture Proposed Rule Changes-EPA comments	Matt Gluckman, EPA	Kristina Erlewine, ODA	1
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
1/5/11	Letter		Kevin Elder, ODA	Tinka Hyde, EPA	2
2/17/12 8:18 am <sup>1</sup>	Electronic mail message 1/25/11	NPDES cross walk rules	Kevin Elder, ODA	Matt Gluckman, EPA	1
2/17/12 8:17 am <sup>1</sup>	Series of seven (7) electronic mail messages 1/5-6/11, 1/20/11, and 1/24-25/11	Ohio NPDES rule changes— response to comments	Kristina Erlewine, ODA	Matt Gluckman, EPA	5
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Matt Gluckman, EPA	Kevin Elder, ODA	
2/17/12 8:17 am <sup>1</sup>	Series of eight (8) electronic mail messages 1/5-6/11, 1/20/11, and 1/24-25/11	Ohio NPDES rule changes— response to comments	Kristina Erlewine, ODA	Matt Gluckman, EPA	6
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	

Date	Description	Subject	From	To	Number of Pages
			Matt Gluckman, EPA	Kevin Elder, ODA	
			Kevin Elder, ODA	Matt Gluckman, EPA	
2/17/12 8:33 am <sup>1</sup>	Series of nine (9) electronic mail messages 1/5-6/11, 1/20/11, 1/24/11, and 1/26/11	Ohio NPDES rule changes— response to comments	Kristina Erlewine, ODA	Matt Gluckman, EPA	7
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
2/17/12 8:31 am <sup>1</sup>	Series of 12 electronic mail messages 1/5-6/11, 1/20/11, 1/24/11, 1/26/11, 2/1-2/11, and 2/7/11	Ohio NPDES rule changes— response to comments	Kristina Erlewine, ODA	Matt Gluckman, EPA	8
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
			Kristina Erlewine, ODA	Matt Gluckman, EPA	
			Matt Gluckman, EPA	Kristina Erlewine, ODA	
11/15/11	Electronic mail message	Ohio—FYI Rule Revision	Kristina Tonn, ODA	Julianne Socha, EPA	2
11/29/11 11:48 am	Electronic mail message	Citizen Petition for Withdrawal	Julianne Socha, EPA	Kristina Tonn, ODA and Cathy Alexander, OEPA	1
11/29/11 12:55 pm	Series of four (4) electronic mail messages	Citizen Petition for Withdrawal	Julianne Socha, EPA	Kristina Tonn, ODA and Cathy Alexander, OEPA	2
			Kristina Tonn, ODA	Julianne Socha, EPA	
			Julianne Socha, EPA	Kristina Tonn, ODA	

Enclosure A  
05-FOI-00527-12

Date	Description	Subject	From	To	Number of Pages
			Kristina Tonn, ODA	Julianne Socha, EPA	
11/29/11 4:34 pm	Electronic mail message	Ohio/FYI Agency Roles in Regulating Livestock Farms	Kristina Tonn, ODA	Julianne Socha, EPA	1

1 date and time of forwarded message; date(s) of original substantive messages are included in description